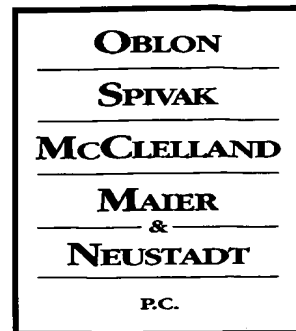




Docket No.: 247245US0X CONT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/757,473  
Applicants: Bettina MOECKEL, et al.  
Filing Date: January 15, 2004  
For: NUCLEOTIDE SEQUENCES WHICH CODE FOR  
THE rpoB GENE  
Group Art Unit: 1652  
Examiner: HUTSON, RICHARD G.

SIR:

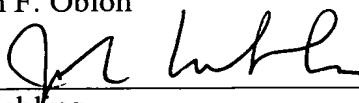
Attached hereto for filing are the following papers:

**Response to Restriction Requirement (3 pp.)**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon

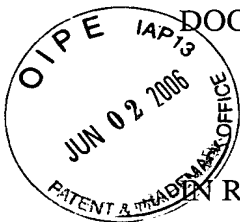
  
\_\_\_\_\_  
John Niebling

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DOCKET NO: 247245US0X CONT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

BETTINA MOECKEL, ET AL.

SERIAL NO: 10/757,473

FILED: JANUARY 15, 2004

FOR: NUCLEOTIDE SEQUENCES  
WHICH CODE FOR THE RPOB GENE

:

: EXAMINER: HUTSON, RICHARD G.

:

: GROUP ART UNIT: 1652

:

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the Official Action dated May 12, 2006, Applicants elect with traverse  
Group 3 Claims 104 and 105 drawn to an isolated polynucleotide which encodes a protein  
(SEQ ID NO: 6) vectors and host cells comprising said polynucleotide.

**Remarks** begin on page 2 of this paper.